

# SB3057



## 98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB3057

Introduced 2/7/2014, by Sen. William R. Haine

### SYNOPSIS AS INTRODUCED:

765 ILCS 160/1-35

Amends the Common Interest Community Association Act. Provides that provisions requiring a unit owner leasing a unit to deliver a copy of a lease to the association apply only to leases that are greater than 30 days.

LRB098 19478 HEP 54650 b

A BILL FOR

1 AN ACT concerning civil law.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Common Interest Community Association Act is  
5 amended by changing Section 1-35 as follows:

6 (765 ILCS 160/1-35)

7 Sec. 1-35. Member powers, duties, and obligations.

8 (a) The provisions of this Act, the declaration, bylaws,  
9 other community instruments, and rules and regulations that  
10 relate to the use of an individual unit or the common areas  
11 shall be applicable to any person leasing a unit and shall be  
12 deemed to be incorporated in any lease executed or renewed on  
13 or after the effective date of this Act. With regard to any  
14 lease entered into subsequent to the effective date of this Act  
15 that is greater than 30 days, the unit owner leasing the unit  
16 shall deliver a copy of the signed lease to the association or  
17 if the lease is oral, a memorandum of the lease, not later than  
18 the date of occupancy or 10 days after the lease is signed,  
19 whichever occurs first.

20 (b) If there are multiple owners of a single unit, only one  
21 of the multiple owners shall be eligible to serve as a member  
22 of the board at any one time, unless the unit owner owns  
23 another unit independently.

1 (c) Two-thirds of the membership may remove a board member  
2 as a director at a duly called special meeting.

3 (d) In the event of any resale of a unit in a common  
4 interest community association by a member or unit owner other  
5 than the developer, the board shall make available for  
6 inspection to the prospective purchaser, upon demand, the  
7 following:

8 (1) A copy of the declaration, other instruments, and  
9 any rules and regulations.

10 (2) A statement of any liens, including a statement of  
11 the account of the unit setting forth the amounts of unpaid  
12 assessments and other charges due and owing.

13 (3) A statement of any capital expenditures  
14 anticipated by the association within the current or  
15 succeeding 2 fiscal years.

16 (4) A statement of the status and amount of any reserve  
17 or replacement fund and any other fund specifically  
18 designated for association projects.

19 (5) A copy of the statement of financial condition of  
20 the association for the last fiscal year for which such a  
21 statement is available.

22 (6) A statement of the status of any pending suits or  
23 judgments in which the association is a party.

24 (7) A statement setting forth what insurance coverage  
25 is provided for all members or unit owners by the  
26 association for common properties.

1           The principal officer of the board or such other officer as  
2 is specifically designated shall furnish the above information  
3 within 30 days after receiving a written request for such  
4 information.

5           A reasonable fee covering the direct out-of-pocket cost of  
6 copying and providing such information may be charged by the  
7 association or the board to the unit seller for providing the  
8 information.

9           (Source: P.A. 96-1400, eff. 7-29-10; 97-605, eff. 8-26-11;  
10 97-1090, eff. 8-24-12.)